

Message Text

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PAGE 01 STATE 008314
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FM SECSTATE WASHDC
TO AMEMBASSY LONDON IMMEDIATE

UNCLAS STATE 008314

E.O. 11652:N/A

TAGS: CGEN (MONTANARI, JAMES W.)

SUBJECT: UNITED STATES V. JOS. DICARLO AND RONALD

MACKENZIE, CR 76-339-S, U.S.D.C.T., MASS.

1. ASST. U.S. ATTY. EDWARD LEE, TEL. 617 223 6290,
URGENTLY REQUIRES ATTENDANCE OF USC JAMES W. MONTANARI AT
TRIAL OF ABOVE CASE IN BOSTON ON JANUARY 24. BECAUSE
WITNESS IS BUSINESS MAN WHO TRAVELS FREQUENTLY, AND IS ONLY
EXPECTED TO REMAIN IN LONDON FOR FEW DAYS, MR. LEE HAS
REQUESTED SERVICE OF SUBPOENA AND ORDER IN TELEGRAM FORM.

2. WITNESS IS DIRECTOR OF FINANCE AND ADMINISTRATION AT
LLEWELYN DAVIES WEEKS FORESTIER WALKER & BOR, 4 FITZROY SQ.
LONDON W1P 6 JA, TEL. 387 0541. HOME ADD: 3 BEAUFORT
HOUSE, BEAUFORT ST., LONDON SW3; HOME TEL, 352-1563.
WITNESS RETURNED UK ON 1/12/77 AFTER VISITING U.S. AND
MARTINIQUE. HE HAD PROMISED TO CONTACT MR. LEE DURING
VISIT, BUT FAILED TO DO SO; PROSECUTOR SURMISES THAT
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MONTANARI MAY HAVE CHANGED HIS MIND ABOUT WILLINGNESS TO
TESTIFY.

WITNESS SCHEDULED TO TRAVEL TO BAHRAIN AND INDIA ON 1/21/77,
BUT MIGHT LEAVE EARLIER. CONOFF THEREFORE REQUESTED TO

LOCATE MONTANARI PROMPTLY AND SERVE ON HIM TEXT OF

SUBPOENA AND COURT ORDER IN FOLLOWING PARAGRAPHS. AT TIME OF SERVICE, PLEASE TENDER WITNESS GTR FOR ROUND TRIP TRAVEL LONDON - BOSTON AT LOWEST FIRST CLASS RATE (I.E. ECONOMY JET) TOGETHER WITH DOLS 82 REPRESENTING TRAVELING EXPENSES BETWEEN TERMINALS OF DOLS 10 AND STATUTORY FEE FOR TWO DAYS' ATTENDANCE AT TRIAL. CHARGE APPROPRIATION 1570311 "FEES AND EXPENSES OF WITNESSES", DEPARTMENT OF JUSTICE 1977, 7G6038.

4. SUBPOENA

BEGIN QUOTE: SUBPOENA TO TESTIFY

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

.....

UNITED STATES OF AMERICA)

V.) NO. 76-399-S

JOSEPH J.C. DICARLO AND)

RONALD C. MACKENZIE)

TO JAMES W. MONTANARI
3, BEAUFORT HOUSE, BEAUFORT STREET
S. W. 3, LONDON, ENGLAND

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(BUSINESS ADDRESS) LLEWELYN-DAVIES-WEEKS-
FORESTIER-WALKER & BOR
4 FITZROY SQUARE, LONDON
W1P 6JA

YOU ARE HEREBY COMMANDED TO APPEAR IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AT MCCORMACK P.O. AND COURTHOUSE IN THE CITY OF BOSTON ON THE 24TH DAY OF JANUARY, 1977 AT 10:00 O'CLOCK A.M. TO TESTIFY IN THE ABOVE ENTITLED CASE.

THIS SUBPOENA IS ISSUED ON THE APPLICATION OF THE UNITED STATES.

JANUARY 24, 1977

EDWARD J. LEE
ATTORNEY FOR UNITED STATES

1107 J.W. MCCORMACK P.O. & COURTHOUSE
BOSTON, MA. TEL: 617-223-6290

/S/ GEORGE F. MCGRATH, CLERK
BY /S/ PAUL JOHN VITELLO,
DEPUTY CLERK

RETURN (TO BE COMPLETED BY CONOFF)

RECEIVED THIS SUBPOENA AT ON AND ON . .
AT . . . I SERVED IT ON THE WITHIN NAMED BY
DELIVERING A COPY TO . . . AND TENDERING TO . . . THE FEE
FOR ONE DAY'S ATTENDANCE AND THE MILEAGE ALLOWED BY LAW.

/S/ (SEAL) END QUOTE.

5. ORDER -- BEGIN QUOTE:
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

V.) CRIMINAL NO. 76-339-S

JOSEPH J.C. DICARLO)
RONALD C. MACKENZIE

ORDER

UPON THE AFFIDAVIT OF EDWARD J. LEE, ASSISTANT UNITED
STATES ATTORNEY FOR THE DISTRICT OF MASSACHUSETTS, SWORN
TO THIS 11TH DAY OF JANUARY, 1977, IT IS,

ORDERED THAT A SUBPOENA ISSUE, IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 1783, TITLE 28, UNITED STATES CODE,
AS REVISED (AND RULE 17(E) (2) OF THE FEDERAL RULES OF
CRIMINAL PROCEDURE), TO THE UNITED STATES CONSULAR
OFFICER IN LONDON, ENGLAND, COMMANDING JAMES W. MONATANARI
TO APPEAR ON THE 24TH DAY OF JANUARY, 1977, BEFORE THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS, COURTROOM NO. 6, J.W. MCCORMACK POST OFFICE
AND COURTHOUSE BUILDING, BOSTON, MASSACHUSETTS, USA, TO
TESTIFY IN THE ABOVE-ENTITLED CASE, AND IT IS

FURTHER ORDERED THAT THE UNITED STATES CONSULAR OFFICER
IN LONDON, ENGLAND, BE AND HE HEREBY IS DIRECTED TO SERVE

SAID SUBPOENA AND A COPY OF THIS ORDER UPON JAMES W. MONTANARI, AND UPON SERVING SAID SUBPOENA TENDER TO JAMES W. MONTANARI A TICKET AT THE LOWEST FIRST-CLASS RATE AVAILABLE FOR A ROUNDTRIP AIRFLIGHT BETWEEN LONDON, UNCLASSIFIED

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ENGLAND, AND BOSTON, MASSACHUSETTS AND (DOLS) 82, CONSTITUTING THE AMOUNT NECESSARY FOR TRAVEL EXPENSES TO AND FROM TERMINALS AND FOR TWO DAYS' ATTENDANCE. THE UNITED STATES MARSHAL SHALL PAY (DOLS) 36 A DAY TO THE WITNESS FOR EACH SUBSEQUENT DAY OF ATTENDANCE BEFORE THE UNITED STATES DISTRICT COURT.

/S/ W.J. SKINNER
JUDGE WALTER J. SKINNER
UNITED STATES DISTRICT COURT

DATE: JAN. 11, 1977
END QUOTE.
(ATTESTED BY CLERK)

6. PLEASE NOTIFY DEPT OF WITNESS'S ETA. MR. LEE REQUESTS HE BE NOTIFIED BY PHONE WHEN SERVICE IS EFFECTED. PLEASE MAIL COMPLETED RETURN OF SERVICE TO MR. LEE AT ADDRESS ON SUBPOENA.
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Message Attributes

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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
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